

117-231

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TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. Application No. (If known, see 37 C.F.R. 1.5)

08776,350

International Application No.

International Filing Date

Priority Date Claimed

PCT/GB95/01791

28 July 1995

29 July 1994

Title of Invention

TREATMENT OF CANCER USING HSV MUTANT

Applicant(s) For DO/EO/US

MACLEAN et al

Applicant herewith submits to the United States Designed/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371 (c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau
 - c. have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. The above checked items are being transmitted:
 - a. before the 18th month publication.
 - b. after publication and the Article 20 communication but before 20 months from the priority date.
 - c. after 20 months.
 - d. by 30 months and a proper demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 - e. after 30 months.

Note: Petition to revive (37 CFR 1.137(a) or (b)) is necessary if 35 U.S.C. 371 requirements submitted (1) after 20 months and no proper demand for International Preliminary Examination was made by 19 months from the earliest claimed priority date, or (2) after 30 months and a proper demand for International preliminary Examination was made by 19 months from the earliest claimed priority date.
12. At the time of transmittal, the time limit for amending claims under Article 19
 - a. has expired and no amendments were made.
 - b. has not yet expired.
13. Certain requirements under 35 U.S.C. 371 were previously submitted by the applicant on January 28, 1997, namely:
Application papers, Preliminary Amendment, Information Disclosure Statement, International Search Report and filing fees

Items 14. to 19. below concern other document(s) or information included:

14. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
15. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
16. A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A change of power of attorney and/or address letter.

19. [X] Other items or information: Form PCT/DO/EO 905 (Notification of Missing Requirements...)

20. [] The following fees are submitted:							CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):								
-- Search Report has been prepared by the EPO or JPO \$910.00 -- International preliminary examination fee paid to USPTO (37 CFR 1.492)..... \$700.00 -- No international preliminary examination fee paid to USPTO (37 CFR 1.492) but international search fee paid to USPTO (37 CFR 1.445 (a)(2))..... \$770.00 -- Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 -- International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provision of PCT Article 33(1) to (4) \$96.00								
ENTER APPROPRIATE BASIC FEE AMOUNT =							\$	
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than							\$	
[] 20 [] 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).							\$	
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE				
Total Claims			- 20 =	0	X	\$ 22.00	\$	0.00
Independent Claims			- 3 =	0	X	\$ 80.00	\$	0.00
Multiple Dependent Claim(s) (if applicable)				+ \$260.00			\$	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110/1 month; \$390/2 months; \$930/3 months)							\$	
TOTAL OF ABOVE CALCULATIONS =							\$	0.00
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).							\$	
SUBTOTAL =							\$	0.00
Processing fee of \$130.00, for furnishing the English Translation later than							\$	
[] 20 [] 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).							\$	
TOTAL NATIONAL FEE =							\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +							\$	
Fee for Petition to Revive Unintentionally Abandoned Application= \$1,290-- Small Entity Fee= 645.00							\$	
TOTAL FEES ENCLOSED =							\$	0.00
							Amount to be refunded	\$
							Charged	\$

- [X] A check in the amount of.....\$ 0.00 to cover the above fees is enclosed.
- [] Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

SEND ALL CORRESPONDENCE TO:

NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201
Telephone: 703-816-4000

Signature

Arthur R. Crawford

Name

25,327

April 18, 1997

Registration Number

Date